

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

KIRK SALLIS,

Plaintiff,

vs.

TRI COUNTY DRUG
ENFORCEMENT,

Defendant.

No. 18-CV-2069 CJW

ORDER

This matter is before the Court on plaintiff's pro se filing. (Doc. 1). In his filing, plaintiff alleges that defendant improperly seized \$3,382 in currency and requests that it be returned.¹ On November 9, 2018, the Court entered an order giving plaintiff thirty days to both pay the applicable filing fee and file an amended complaint. (Doc. 2). Plaintiff neither paid the filing fee nor filed an amended complaint, and more than thirty days have passed. Accordingly, plaintiff's case is dismissed for failure to comply with the Court's order. *See* Federal Rule of Civil Procedure 41; *see also Holly v. Anderson*, 467 F.3d 1120, 1121 (8th Cir. 2006) stating:

A district court may sua sponte dismiss an action under Rule 41(b) for the plaintiff's deliberate failure to comply with a court order. *See Hutchins v. A.G. Edwards & Sons, Inc.*, 116 F.3d 1256, 1259-60 (8th Cir.1997); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir.1986).

¹ Plaintiff included with his filing a notice of seizure of \$3,382 in currency filed in the Iowa District Court for Blackhawk County, Iowa. (Doc. 1 at 2).

The dismissal is without prejudice.

IT IS SO ORDERED this 12th day of December, 2018.



C.J. Williams
United States District Judge
Northern District of Iowa